

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT)
INFRINGEMENT LITIGATION) Civ. Action No. 05-356-SLR (consolidated)
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**REDACTED DECLARATION OF BRIAN E. FARNAN IN SUPPORT OF
DEFENDANTS BARR LABORATORIES, INC.'S AND BARR
PHARMACEUTICALS, INC.'S ANSWERING CLAIM CONSTRUCTION BRIEF**

PHILLIPS, GOLDMAN & SPENCE, P.A.
John C. Phillips, Jr. (Bar No. 110)
Brian E. Farnan (Bar No. 4089)
1200 North Broom St.
Wilmington, DE 19806
Tele: (302) 655-4200
Fax: (302) 655-4210
JCP@pgslaw.com

and

WINSTON & STRAWN LLP
George C. Lombardi (admitted *pro hac vice*)
Taras A. Gracey (admitted *pro hac vice*)
Lynn M. Ulrich (admitted *pro hac vice*)
Mustafa A. Hersi (admitted *pro hac vice*)
35 West Wacker Drive
Chicago, Illinois 60601
Tele: (312) 558-5600
Fax: (312) 558-5700
lulrich@winston.com

Attorneys for Defendants Barr Laboratories,
Inc. and Barr Pharmaceuticals, Inc.

Date: December 27, 2006

I, BRIAN E. FARNAN, declare under penalty of perjury under the laws of the State of Delaware that the following is true and correct:

1. I am one of the attorneys representing Barr Laboratories, Inc. and Barr Pharmaceuticals, Inc. (collectively "Barr") in this action. I submit this declaration in support Defendants Barr Laboratories, Inc.'s and Barr Pharmaceuticals, Inc.'s Answering Claim Construction Brief. I make this declaration based upon personal knowledge of which I am competent to testify.

2. A true and correct copy of U.S. Patent No. 4,663,318 is attached hereto as Exhibit 1.

3. A true and correct copy of excerpts of the Deposition of Dr. Edward Domino is attached hereto as Exhibit 2.

4. A true and correct copy of excerpts of the Deposition of Dr. Allan Levey is attached hereto as Exhibit 3.

5. A true and correct copy of the article entitled "Drug Development for Senile Cognitive Decline" by Fred M. Hershenson and Walter H. Moos is attached hereto as Exhibit 4.

6. A true and correct copy of excerpts of the prosecution history for U.S. Patent No. 4,663,318 is attached hereto as Exhibit 5.

7. A true and correct copy of the Razadyne Labeling Information is attached hereto as Exhibit 6.

8. A true and correct copy of excerpts of the Deposition of Dr. Murray Raskind is attached hereto as Exhibit 7.

9. A true and correct copy of excerpts of the Deposition of Dr. Jeffrey Cummings is attached hereto as Exhibit 8.

10. A true and correct copy of excerpts of the Deposition of Dr. Howard Fillit is attached hereto as Exhibit 9.

DATED: December 27, 2006

Brian E. Farnan
Brian E. Farnan